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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,006	02/25/2004	Pier Antonio Guarda	108910-00125	9739
4372 7590 01/29/2007 ARENT FOX PLLC 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			EXAMINER HU, HENRY S	
			ART UNIT 1713	PAPER NUMBER
			MAIL DATE 01/29/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

6

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/785,006	GUARDA ET AL.	
	Examiner	Art Unit	
	Henry S. Hu	1713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 28 December 2006 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.


Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

It is noted that this amendment after final is filed on the same day which issue fee is paid. However, the claim amendment is not timely filed during the examination. Although Applicants allege that new dependent Claims 15-21 are commensurate in scope with dependent Claims 2-4 and 6-7 in the cancelled non-elected group, they raise new issues that would render further consideration and/or search.

HLH
1-23-2007


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